

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Mariano Garay-Ortiz, being duly sworn, depose and state:

**Introduction**

1. I am a United States Customs and Border Protection Enforcement Officer with the Department of Homeland Security, assigned to investigate Immigration Law violations and Criminal Laws of the United States at the Luis Muñoz Marín International Airport (“LMMIA”), Carolina, Puerto Rico.

2. The facts and information contained in this affidavit are based upon my training and experience, participation in this investigation, personal knowledge and observations during this investigation, as well as the observations of other agents and police officers involved in this investigation. All observations not personally made by me were relayed to me by the individuals who made them or are based on my review of records, documents, and other physical evidence obtained during the investigation.

3. This affidavit contains information necessary to support probable cause. It is not intended to include each and every fact and matter observed by me or known to the United States. This affidavit contains information necessary to support probable cause for a criminal complaint charging Roberto VASQUEZ-ROJAS (“VASQUEZ-ROJAS”) with violation of 8 U.S.C. § 1326(a) (Re-entry After Deportation).

**Probable Cause**

4. On March 19, 2025, at the LMMIA, VASQUEZ-ROJAS, an alien and citizen of the Dominican Republic, was found in the United States attempting to board Sky High Airlines flight number DO 976, bound for Santo Domingo, Dominican Republic. During the inspection conducted by U.S. Customs and Border Protection Officers, VASQUEZ-ROJAS claimed to be a citizen of the Dominican Republic by the name of Roberto VASQUEZ-ROJAS and presented a Dominican Republic passport, with number PR0630638, as proof of identity. The passport contained VASQUEZ-ROJAS' photograph and was issued under the name of Roberto VASQUEZ-ROJAS. VASQUEZ-ROJAS claimed to be the rightful bearer of the passport.

5. Given VASQUEZ-ROJAS did not have any document that allowed him to be present in the United States, he was held for a closer inspection. During this process, VASQUEZ-ROJAS fingerprints were submitted to the Federal Bureau of Investigation ("FBI") for examination and comparison. This examination disclosed a match to an FBI record, which revealed the following:

- a) On February 20, 2012, VASQUEZ-ROJAS was apprehended by U.S. Customs and Border Protection at the Pan American Dock West, San Juan, Puerto Rico and was served with an Expedited Removal from the United States.
- b) On February 20, 2012, VASQUEZ-ROJAS was physically removed from the United States to the Dominican Republic.

6. VASQUEZ-ROJAS was told that after his deportation/removal from the United States, he was required to obtain permission from the Attorney General or his

successor under the Department of Homeland Security prior to his re-embarkation at a place outside the United States or his application for admission.

7. Further investigation and records checks revealed that no application to request permission on Form I-212 (Application for Permission to Reapply for Admission into the United States After Deportation or Removal) had been filed on behalf of VASQUEZ-ROJAS at the Office of Citizenship and Immigration Services.

8. VASQUEZ-ROJAS is a citizen and national of the Dominican Republic and is an alien with no authorization or legal status to be present in the United States. Further, VASQUEZ-ROJAS was deported from the United States and prohibited from reentering the United States without obtaining consent from the Attorney General or his successor under the Department of Homeland Security prior to his embarkation at a place outside the United States or his application for admission.

### Conclusion

9. Based on the facts contained herein, there is probable cause to believe that VASQUEZ-ROJAS committed the following Federal offense: 8 U.S.C. § 1326(a) (Reentry After Deportation).

I hereby declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

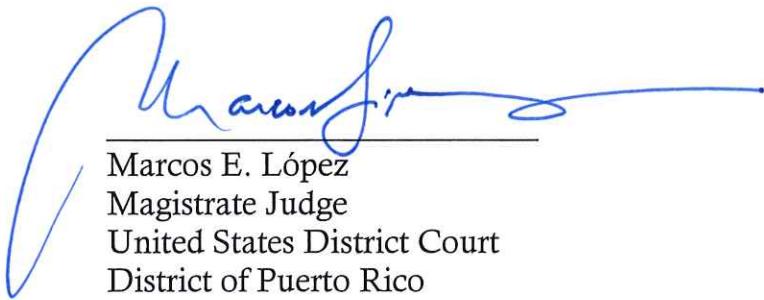
MARIANO E  
GARAY ORTIZ

Digitally signed by MARIANO  
E GARAY ORTIZ  
Date: 2025.03.20 10:38:08  
-04'00'

Mariano Garay-Ortiz  
Enforcement Officer  
U.S. Customs and Border Protection

RE: 25-269(M)

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone  
at 12:20 p.m. on the 20<sup>th</sup> day of March, 2025.



Marcos E. López  
Magistrate Judge  
United States District Court  
District of Puerto Rico